

Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 OES-07 IOE-00 SSO-00 NSCE-00

USIE-00 INRE-00 ACDA-07 CIAE-00 INR-07 L-03

NSAE-00 NSC-05 EB-07 NRC-05 FEAE-00 DODE-00 SS-15

SP-02 PM-04 H-01 PA-01 PRS-01 OIC-02 AF-10

ARA-10 EA-07 NEA-10 /131 W

-----028198 211522Z /44

O R 211453Z JUN 77

FM AMEMBASSY VIENNA

TO SECSTATE WASHDC IMMEDIATE 2191

INFO USERDA WASHDC

USERDA GERMANTOWN

C O N F I D E N T I A L VIENNA 4982

USIAEA

DEPT PASS IO/SCT

EO 11652: GDS

TAGS: AORG, OCON, IAEA

SUBJECT: AMENDMENT OF ARTICLE VI: NEXT STEPS

REF: (A) VIENNA 4939, (B) STATE 132966

1. REF A NOTED THAT FURTHER CONSULTATIONS WERE AGREED TO BY BOARD TO TAKE PLACE PRIOR TO JUNE 28, THE DEADLINE FOR CIRCULATION OF PROPOSED AMENDMENTS TO IAEA STATUTE. BOARD VICE CHAIRMAN (MEHTA) HAS NOT INVITED REPS OF BOARD MEMBERS TO CONSULTATIVE MEETING JUNE 23 AT 3 P.M. WEO STATES WILL CAUCUS JUNE 22 AT 11:00.

2. BASICALLY, THERE ARE TWO COURSES OF ACTION OPEN TO US: (A) ACQUIESCE IN A POSSIBLE REVISED AMENDMENT PROPOSAL WHICH WOULD GIVE AF AND MESA EACH AN ADDITIONAL ELECTIVE BOARD SEAT ON THE UNDERSTANDING THIS IS ACCEPTABLE
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TO ALL OTHER AREAS AND ON RECEIPT OF ASSURANCES THAT STATUTE WILL THEREAFTER REMAIN UNCHANGED FOR FIXED PERIOD (E.G. THREE YEARS AFTER NEW AMENDMENT COMES INTO FORCE); (B) CONTINUE TO OPPOSE ANY EXPANSION OF BOARD UNDER PRESENT CIRCUMSTANCES, CARRYING THE FIGHT TO THE GENERAL CONFERENCE (ON WHOSE AGENDA THE ISSUE HAS BEEN INSCRIBED).

3. ADVANTAGE OF FIRST OPTION IS THAT IT WOULD SETTLE MATTER WITH DESPATCH, AVOIDING PROLONGED DISCUSSION AND NEGOTIATION, AND WOULD RESULT IN LIMITED BOARD EXPANSION WHICH WOULD BE AT LEAST PARTIALLY RESPONSIVE TO THE COMPLAINTS OF THE TWO AREAS CONCERNED. I AM, HOWEVER, MOST RELUCTANT TO ACQUIESCE WITHOUT A FIGHT IN AN ARRANGEMENT WHICH WAS OF SOMEWHAT QUESTIONABLE VALUE EVEN WHEN IT WAS BEING CONSIDERED AS PART OF A PACKAGE DEAL. REPLACEMENT OF SOUTH AFRICA AS DESIGNATED MEMBER FOR REGION OF AF HAS ALREADY GIVEN LDC'S ANOTHER BOARD SEAT, AND, MOREOVER, A QUOTE PERMANENT UNQUOTE ONE IN PRACTICAL EFFECT. EVEN LIMITED EXPANSION OF ONE-AND-ONE WOULD ALSO GIVE GROUP OF 77 AN ABSOLUTE MAJORITY ON THE BOARD. MEETINGS OF BOARD IN FEBRUARY AND JUNE INDICATE WHAT CAN BE EXPECTED SHOULD THIS OCCUR.

4. STONEWALLING WOULD COST US A GOOD DEAL OF TIME AND EFFORT, PRINCIPALLY IN LINING UP SUPPORT FOR OUR POSITION AT GENERAL CONFERENCE. IF, AS SEEMS LIKELY, MATTER IS PUT TO VOTE AT GEN. CONF., 38 VOTES (ONE THIRD) WOULD BE REQUIRED TO BLOCK AMENDMENT PROPOSAL IN EVENT REPS OF ALL 110 MEMBER STATES WERE PRESENT AND VOTING. HOWEVER, ATTENDANCE AT 1976 GC WAS ONLY 78 AND IN 1975 ONLY 89. PROVIDED THAT PRESENT INDICATIONS ARE ACCURATE AND SOLIDITY OF NA, WE, EE GROUPS (PLUS OTHERS WHICH, LIKE

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JAPAN AND AUSTRALIA COULD BE EXPECTED TO OPPOSE STATUTE AMENDMENT IS MAINTAINED). I JUDGE THAT AMENDMENT PROPOSAL COULD BE DEFEATED WITH HELP OF EFFORTS IN SELECTED CAPITALS. EVEN IF THIS DEFEAT SHOULD NOT KILL THE PROPOSAL ONCE AND FOR ALL, WE SHALL HAVE BOUGHT ANOTHER YEAR OF TIME.

5. WITH SOME RELUCTANCE, I AM INCLINED THEREFORE TO RECOMMEND CONTINUED OPPOSITION TO REVISION OF THE STATUTE AT THIS STAGE, RECOGNIZING THAT IF WEO CAUCUS TOMORROW DOES NOT SUPPORT THIS AND IF SOVIETS AND THEIR COLLEAGUES ARE NOT ON BOARD, WE MAY WISH TO CHANGE THIS POSITION AT JUNE 23 MEETING. ACTION REQUESTED: CONFIRMATION THAT AUTHORIZATION CONTAINED REF B STILL APPLIES. STONE

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